

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CITY OF EVERETT, a Washington municipal corporation,	)	
	)	CASE NO. 2:17-CV-00209-RSM
Plaintiff,	)	
	)	STIPULATED MOTION AND
v.	)	ORDER TO EXTEND
	)	DEFENDANTS' TIME TO
PURDUE PHARMA L.P., a Delaware limited partnership; PURDUE PHARMA, INC., a New York corporation; THE PURDUE FREDERICK COMPANY, INC., a New York corporation; and JOHN AND JANE DOES 1 THROUGH 10, individuals who are executives, officers, and/or directors of Purdue,	)	RESPOND TO COMPLAINT
	)	
Defendants.	)	

**STIPULATED MOTION**

Defendants Purdue Pharma L.P., Purdue Pharma, Inc., and The Purdue Frederick Company, Inc. ("Defendants") hereby move the Court pursuant to LCR 7(d)(1) and LCR 10(g) for an order extending the time to March 20, 2017 for Defendants to respond to Plaintiff's Complaint. Plaintiff City of Everett ("Plaintiff") has stipulated to extend this deadline to March 20, 2017.

**FACTS and ARGUMENT**

Defendants timely filed a Notice of Removal in this Court on February 10, 2017 (Dkt. #1). At the time of removal, Defendants had not answered or otherwise responded to the Complaint filed by Plaintiff in Snohomish County Superior Court ("Superior Court"). The Complaint was filed and served on January 19, 2017 on all Defendants (Dkt. #1-1 and #2-1, pp.

33-56). Under these circumstances, Defendants would be required by Federal Rule of Civil Procedure 81(c)(2)(C) to respond to the Complaint within seven days of removal (meaning February 24, 2017) in the absence of relief. This Court may extend the time for Defendants to respond to the Complaint for good cause when the request is made before the original deadline expires. Fed. R. Civ. Pro. 6(b)(1)(A).

If this action had not been removed from Superior Court, Defendants' response deadline would have been March 20, 2017.<sup>1</sup> Defendants request the same deadline to apply in this Court. In support of their request, Defendants assert that Plaintiff's allegations are premised upon events occurring several years ago (2007-2010), including events in California, which are diverse, novel, and raise complex questions requiring further analysis in considering a response, and requiring more time to prepare than the current deadline allows.<sup>2</sup>

### **STIPULATION**

Counsel for Defendants and Plaintiff spoke on Friday, February 10, 2017, and exchanged voice and e-mail again on Monday, February 13, 2017, regarding Defendants' request to extend the deadline to respond to Plaintiff's Complaint. Defendants and Plaintiff hereby stipulate to the requested extension to March 20, 2017 for Defendants to respond to the Complaint.<sup>3</sup>

***SO STIPULATED.***

DATED: February 14, 2017

---

<sup>1</sup> RCW § 4.28.180 allows parties 60 days to respond to a complaint personally served outside the state of Washington. 60 days from January 19, 2017 is March 20, 2017.

<sup>2</sup> This Court's Local Rules identify as a means of reducing litigation costs: "(a) limiting discovery and phasing discovery and motions to bring on for early resolution potentially dispositive issues;..." See *Introduction to Civil Rules*, pg. 1.

<sup>3</sup> Plaintiff stipulates to the relief requested by Defendants (*i.e.*, an extension to March 20, 2017), however, Plaintiff does not hereby stipulate or otherwise agree with Defendants' other assertions, including their characterizations regarding Plaintiff's allegations.

1 By: /s/ Thomas D. Adams

2 Thomas D. Adams, WSBA #18470

3 Ronald J. Friedman, WSBA #41629

4 Stephanie R. Lakinski, WSBA #46391

5 Andrew W. Durland, WSBA #49747

6 **KARR TUTTLE CAMPBELL**

7 701 Fifth Avenue, Suite 3300

8 Seattle, WA 98104

9 Telephone: 206-223-1313

10 Facsimile: 206-682-7100

11 Email: tadams@karrtuttle.com

12 Email: rfriedman@karrtuttle.com

13 Email: slakinski@karrtuttle.com

14 Email: adurland@karrtuttle.com

15 *Attorneys for Defendants Purdue Pharma L.P.,*  
16 *Purdue Pharma Inc., and The Purdue Frederick*  
17 *Company Inc.*

18 By: /s/ Christopher S. Huck

19 Michael A. Goldfarb, WSBA #13492

20 Christopher M. Huck, WSBA #34104

21 Kit W. Roth, WSBA #33059

22 R. Omar Riojas, WSBA #35400

23 KELLEY, GOLDFARB, HUCK,

24 ROTH & RIOJAS, PLLC

25 700 Fifth Avenue, Suite 6100

26 Seattle, WA 98104

27 Telephone: 206-452-0260

goldfarb@kelleygoldfarb.com

huck@kelleygoldfarb.com

roth@kelleygoldfarb.com

riojas@kelleygoldfarb.com

*Attorneys for Plaintiff City of Everett*

**ORDER**

Pursuant to the Stipulation of Defendants and Plaintiff, the deadline for Defendants to respond to the Complaint shall be extended to March 20, 2017.

IT IS SO ORDERED.

DATED this 15th day of February, 2017.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

KARR TUTTLE CAMPBELL

By: s/ Thomas D. Adams

Thomas D. Adams, WSBA #18470  
Ronald J. Friedman, WSBA #41629  
Stephanie R. Lakinski, WSBA #46391  
Andrew W. Durland, WSBA #49747

**KARR TUTTLE CAMPBELL**

701 Fifth Avenue, Suite 3300

Seattle, WA 98104

Telephone: 206-223-1313

Facsimile: 206-682-7100

Email: tadams@karrtuttle.com

Email: rfriedman@karrtuttle.com

Email: slakinski@karrtuttle.com

Email: adurland@karrtuttle.com

*Attorneys for Defendants Purdue Pharma L.P.,  
Purdue Pharma Inc., and The Purdue Frederick  
Company Inc.*

STIPULATED MOTION AND ORDER TO  
EXTEND TIME - 4

CASE NO. 2:17-CV-00209-RSM  
#1081669 v3 / 72285-002

KARR TUTTLE CAMPBELL  
701 Fifth Avenue, Suite 3300  
Seattle, Washington 98104  
Main: (206) 223 1313  
Fax: (206) 682 7100